

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff

v.

MICHAEL R. BALBOA and GILLES T.
DE CHARSONVILLE,

Defendant

11 CIV 8731

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Michael R. Balboa
71 Lodge Close, Stoke D'Abernon, Surrey, United Kingdom KT11 2SH

A lawsuit has been filed against you.

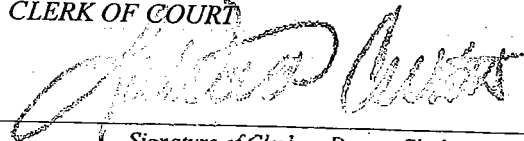
Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Nancy A. Brown, Esq.
Securities and Exchange Commission
3 World Financial Center
New York, NY 10281

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT



Signature of Clerk or Deputy Clerk

DEC 01 2011

Date: _____

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Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**
See "Instructions for Service of Process by U.S. Marshal"

| | |
|---|----------------------------------|
| PLAINTIFF SECURITIES AND EXCHANGE COMMISSION | COURT CASE NUMBER 11 CIV 8731 |
| DEFENDANT MICHAEL R. BALBOA, et al. | TYPE OF PROCESS S/C |

**SERVE
AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
MICHAEL BALBOA
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

U.S. SECURITIES AND EXCHANGE COMMISSION
WILLIAM CONWAY, ESQ.
3 WORLD FINANCIAL CENTER, SUITE 400
NEW YORK, NY 10281

Number of process to be
served with this Form 285Number of parties to be
served in this caseCheck for service
on U.S.A.SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses,
All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

INDIVIDUAL WAS ARRESTED BY U.S. POSTAL INSPECTION SERVICE (AGENT JESSICA BROWN) on 12/1/2011
AND IS CURRENTLY IN U.S. MARSHALL'S CUSTODY. CASE NUMBER FOR RELATED CRIMINAL ACTION IN
SDNY IS: 11 MAG 3038

Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

DATE

212-336-0956

12/2/11

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total
number of process indicated.
(Sign only for USM 285 if more
than one USM 285 is submitted)

Total Process

District of
OriginDistrict to
Serve

Signature of Authorized USMS Deputy or Clerk

Date

G1

No. 54

No. 54

Joann Hardsa

12/2/11

I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described
on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

Michael Balboa

☐ A person of suitable age and discretion
then residing in defendant's usual place
of abode

Address (complete only different than shown above)

500 Pearl Street Suite 400
New York, New York 10007

Date

12/2/11

Time

5:25

☐ am
☒ pm

Signature of U.S. Marshal or Deputy

Michael Paul

Service Fee

55.00

Total Mileage Charges
including endeavors)

Forwarding Fee

Total Charges

55.00

Advance Deposits

Amount owed to U.S. Marshal* or
(Amount of Refund*)

\$0.00

REMARKS:

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment,
if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

11-8731-2

Form USM-285
Rev. 12/80